

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

YURII KOROTKOV & IRYNA
PAVLOVNA KOROTKOVA.

Plaintiffs,

-v-

SUNTRUST MORTGAGE, INC.

Defendant

Civil Action No. 3:19-CV-00210

DEFENDANT’S MOTION TO DISMISS

Defendant SunTrust Bank (“SunTrust”)¹, by counsel and pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure, moves to dismiss the Slander of Title and Fraud Claims in the Complaint filed by Plaintiffs Yurii Korotkov and Iryna Pavlovna Korotkova (collectively “Plaintiffs”) on the grounds, *inter alia*, that the claim for Slander of Title levied against SunTrust is barred by Plaintiffs’ failure to state a claim upon which relief can be granted pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure; and that the claim for Fraud levied against SunTrust is barred by Plaintiffs’ failure to meet the pleading standard required by Rule 9(b) of the Federal Rules of Civil Procedure.

WHEREFORE, Defendant SunTrust respectfully prays the Court that:

1. Plaintiffs’ claim for Slander of Title be dismissed with prejudice;
2. Plaintiffs’ claim for Fraud be dismissed with prejudice;
3. SunTrust has such other and further relief as the Court shall deem equitable and just.

¹ SunTrust Mortgage, Inc. merged into SunTrust Bank, a Georgia state-chartered bank, effective August 6, 2018. As such, the proper named Defendant in this case is SunTrust Bank.

This the 22nd day of May 2019.

TROUTMAN SANDERS LLP

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